

**APPELLATE MEDIATION PROGRAM  
COURT OF APPEAL, THIRD APPELLATE DISTRICT  
CONFIDENTIALITY AGREEMENT**

**PURSUANT TO LOCAL RULE 1, THIS FORM IS MANDATORY, MUST BE COMPLETED BY ALL PARTIES AND THEIR COUNSEL. ALL CONFIDENTIALITY AGREEMENT FORMS ARE MAINTAINED IN THE CASE MEDIATION FILE. PLEASE SUBMIT COMPLETED FORM TO THE APPELLATE MEDIATION OFFICE PRIOR TO MEDIATION SESSION.**

Today's Date: \_\_\_\_\_

Court of Appeal Case No. \_\_\_\_\_

Case Caption: \_\_\_\_\_

Mediation Session Date: \_\_\_\_\_ Follow-up Session Date: \_\_\_\_\_ Continued Session Date: \_\_\_\_\_

Consistent with California Evidence Code sections 703.5 and 1115 through 1128 and Court of Appeal, Third Appellate District, Local Rule 1(e), the participants in the mediation of this case agree that:

1. No written or oral communication made by any party, attorney, mediator, or other participant in any mediation session in this case may be used for any purpose in any pending or future non-criminal proceeding unless all parties, including the mediator, so agree.

2. Disclosure of information that otherwise is privileged shall not alter its privileged character.

3. The parties shall not subpoena the mediator, the mediation coordinator, or any documents submitted to or prepared by the mediator during or in connection with the mediation process. The mediator shall not testify voluntarily on behalf of a party.

4. This agreement shall not preclude a report of information to the mediation program coordinator pursuant to Local Rule 1 or an inquiry by the coordinator regarding a possible violation of Local Rule 1 not involving anything said or any writings introduced in a mediation session.

5. This agreement shall not render inadmissible a written settlement agreement reached as a result of this mediation in an action to enforce that settlement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mediator

\_\_\_\_\_  
Party's Attorney

\_\_\_\_\_  
Party's Attorney

\_\_\_\_\_  
Party

\_\_\_\_\_  
Party

\_\_\_\_\_  
Party's Attorney

\_\_\_\_\_  
Party's Attorney

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Party

\_\_\_\_\_  
Party

**IMPORTANT: To maintain confidentiality, please return to the Appellate Mediation Coordinator at 916-274-5882; fax 916-641-6527.**

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**Party's Attorney**

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**Party**

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**Party's Attorney**

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**Party**

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**Party's Attorney**

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**Party**

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**Party's Attorney**

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**Party**

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**Other Participant**

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**Title**

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**Representing (specify party)**

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**Other Participant**

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**Title**

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**Representing (specify party)**

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**Party's Attorney**

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**Party**

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**Party's Attorney**

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**Party**

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**Party's Attorney**

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**Party**

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**Party's Attorney**

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**Party**

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**Other Participant**

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**Title**

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**Representing (specify party)**

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**Other Participant**

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**Title**

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**Representing (specify party)**

**See attachment for additional participants.**